

ARTICLE 18

SHIFT INFORMATION

PART A. SHIFT DEFINITION AND DIFFERENTIAL

Section 1.

An afternoon shift is one which is regularly scheduled to begin at or after 2 p.m., but before 8 p.m. A night shift is one which is regularly scheduled to begin at or after 8 p.m., but before 5 a.m. A day shift is one which begins at or after 5 a.m., but before 2 p.m.

Section 2.

A premium of 5% above straight-time rates shall be paid for all straight time hours worked between 5:00 p.m. and 5:00 a.m. and for all hours worked during regularly scheduled afternoon and night shifts. When the supervisor agrees to a schedule change requested by the employee when the day shift extends beyond 5:00 p.m., no shift differential will be paid.

Section 3.

Shift differential premium of 5% of overtime rates will be paid for overtime hours worked between 5:00 p.m. and 5:00 a.m. or as an extension of regularly scheduled afternoon and night shifts.

Section 4.

Shift differential premium will not be paid for leave time used.

Section 5.

All other fringe benefits will be based on straight-time rate of pay for the class involved.

Section 6.

Work requiring reassignment of employees from day shift or pass day to afternoon or night shifts will be paid shift premium as in the case of regularly assigned afternoon and night shifts.

Section 7.

Hourly rates for shift differential premium payment will be rounded to the nearest cent.

PART B. UNIFORM SERVICES BUREAU SHIFT ROTATION

Section 1. Shift Rotation.

- a. After the Employer has established staffing requirements and a shift rotation frequency for a work unit, employees at the work unit may by majority vote adopt a different shift rotation frequency that satisfies the Employer's staffing requirements. Election procedures shall be established by the Association.
- b. If the employees approve a different shift rotation frequency the Employer shall implement that shift rotation for one year, unless the Employer's staffing requirements change within the one-year period. If the Employer's staffing requirements materially change, employees may again exercise the option specified in subsection a. above.
- c. One year from the date of the implementation of an applicable rotation option, and annually thereafter, the employees shall be given the opportunity to change the rotation option by another vote.

Section 2. Shift Bidding.

- a. The Employer will permit employees who have more than one year of seniority to indicate a preference for shift assignments, or relief shifts with each shift rotation at posts where the shift rotation is longer than twenty-eight (28) days. If more than one employee within a classification is to be assigned to a shift, the employer may establish different starting times within the shift, and the employees will be permitted to indicate a preference for available starting times by seniority. This preference will be honored except as provided in Article 19, Section 2(a) or for good cause shown.
- b. Employees will normally be scheduled by seniority, except where operational requirements (including but not limited to: court appearances, training, special details, special qualifications or training, affirmative assistance, and Canine Handlers) require the presence of a particular employee on a given shift. If the same work site establishes both 8 and 10 hour shifts, as provided in Article 18, Section 2, the length of the shift to which an employee is assigned will be determined by seniority bid.
- c. In the event the Employer determines the need to assign an employee from one shift to another, the Employer shall first seek a volunteer. If there are not sufficient volunteers, employees shall be reassigned in

order of lowest seniority (time in service for troopers and time in rank for sergeants) on the shift from which employees are to be reassigned.

PART C. SHIFT TRADE

Section 1.

By mutual agreement between the involved employees and the commanding officer of the post, section or unit of assignment, employees may trade posted work days and/or pass days. Approval for such trade shall be granted by the commanding officer except for good cause shown.

Section 2.

An employee who feels that the commanding officer's refusal to permit a trade was not for good cause may only appeal the refusal to the next level of supervision.

Section 3.

Nothing in this Article shall permit an employee to trade posted work days or pass days for the purpose of achieving any premium or overtime pay.

PART D. TEN HOUR ALTERNATIVE WORKDAY REQUESTS

It is recognized that some employees at a post/team are part of a twenty-four (24) hour operation (i.e., patrol) while other employees at the same post/team are scheduled for less than twenty-four (24) hour coverage (i.e., administrative hours). The applicable language will be determined by the particular function performed by an employee or group of employees at a post/team. These provisions do not apply to specialists (e.g., canine handlers, DARE officers, youth services officers, etc.).

After Management has established staffing requirements, employees assigned to the Uniform Services Bureau at posts or teams where hours of operation are less than twenty-four (24) on a regularly scheduled basis may, by majority vote, request a ten hour workday if:

1. Management's staffing requirements are satisfied;
2. A ten hour workday would not result in increased costs to Management;
3. The provisions of the attached working agreement (See Appendix B)

are satisfied for the duration of ten hour workday schedules; and

4. There is no adverse impact on the level of service.

Management shall respond in writing as soon as practicable to requests for ten hour workdays for employees at a post or team where hours are less than twenty-four (24) on a regularly scheduled basis. Whenever a request is denied, Management's response shall include rationale. Any ten hour workday agreements that are approved shall be reviewed by Management at least annually. Approval shall not be unreasonably withheld.

Management shall respond to requests to terminate a ten hour workday agreement as soon as practicable. A record of terminations of ten hour workday schedules for employees in the Uniform Services Bureau assigned to posts/teams where hours have been reduced will be maintained by the Department.

Failure to approve or the termination of a ten hour workday shall not be subject to the grievance procedure. However, the Association may request a Special Conference under the provisions of Article 6. Special Conferences requested for this purpose shall not be charged against the four (4) per calendar year limit established by Article 6, Section 3.

This does not preclude ten hour work day for specialists, employees outside of the Uniformed Services Bureau or employees at twenty-four (24) hour operations. These employees shall continue to be governed by the applicable provisions of Article 19.